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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group No.: 3761

Examiner:
Kidwell, Michele M.

Serial No.: 10/026,122

Filing Date: 17 December 2001

Title: PREFASTENED DIAPER/PANT FOR
INFANTS WITH IMPROVED FIT RANGE

Customer No. 35844

Confirmation No. 4922

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This communication is in response to the Office Action dated 29 June
2004.

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

28 July 2004

28 July 04
Date

Eric Kruschke
Signature

Serial No.: 10/026,122
Response dated 28 July 2004
Reply to Office Action mailed 29 June 2004

ELECTION OF SPECIES

The Examiner requires Applicants to elect one of the following allegedly patentably distinct species of the claimed invention pursuant to 35 U.S.C. § 121 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable:

Species 1: Figures 1-3;
Species 2: Figures 4-7;
Species 3: Figure 8; and
Species 4: Figure 9.

The Examiner acknowledges that Claim 22 is currently generic.

Applicants hereby elect Species 1, Figures 1-3, for prosecution on the merits. Claims 1-17 and 22-37 are readable thereon.

CONCLUSION

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, Applicants' undersigned attorney requests a telephone interview with the Examiner.

Serial No.: 10/026,122
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Applicants sincerely believe that this Patent Application is now in
condition for prosecution on the merits.

Respectfully submitted,



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